

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

AMERICAN CIVIL RIGHTS UNION,)
in its individual and corporate capacities,)
)
Plaintiff,)

v.)

Civil Action No. 7:16-cv-00103

ELECTION ADMINISTRATOR)
RAFAEL R. MONTALVO,)
in his official capacity,)
Defendant.)

[PROPOSED] ORDER ON DEFEDANT'S FIRST AMENDED MOTION TO DISMISS

Upon consideration of Defendant's First Amended Motion to Dismiss for Lack of Subject-Matter Jurisdiction and Motion to Dismiss for Failure to State a Claim upon which Relief May Be Granted and all Memoranda of Law filed in support and opposition thereto; the Court is of the opinion that such Motion should be DENIED.

SIGNED on _____, 20____.

Chief Judge Ricardo H. Hinojosa, U.S. District Court